

OFFICIAL COPY

Fresno, California

May 9, 2006

The City Council met in regular session at the hour of 1:03 p.m. in the Council Chamber, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Brian Calhoun	Councilmember
	Mike Dages	Councilmember
	Henry Perea	Acting Council President
	Cynthia Sterling	Councilmember
	Larry Westerlund	Councilmember
	Jerry Duncan	Council President

Andy Souza, City Manager
James Sanchez, Interim City Attorney
Becky Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

Pastor Kevin Smith of St. Luke's Calvary Community Church gave the invocation, and Acting President Perea led the Pledge of Allegiance.

PROCLAMATION OF "BE KIND TO ANIMALS WEEK" - COUNCILMEMBER WESTERLUND

PROCLAMATION OF "OLDER AMERICANS MONTH" - COUNCILMEMBER STERLING

The above proclamations were read and presented.

SPECIAL RECOGNITION OF REI (RECREATION EQUIPMENT INCORPORATED) FOR THEIR \$10,000 DONATION TO "FUN", A NON-PROFIT GROUP OF THE PARKS & RECREATION DEPARTMENT TO CREATE STEWARDSHIP ACTIVITIES AT WOODWARD PARK - PRESIDENT DUNCAN

Recognized.

APPROVE MINUTES:

On motion of Councilmember Westerlund, seconded by Acting President Perea, duly carried, RESOLVED, the minutes of May 2, 2006, approved as submitted.

COUNCIL MEMBER REPORTS AND COMMENTS:

Acting President Perea requested the Council President work with the Mayor's office and develop a resolution in support of Assemblyman Arambula noting the Speaker of the Assembly acted very disrespectful after Assemblyman Arambula held out and did not support the bond because it did not include surface water storage for the central valley, stated a strong message needed to be sent to the Speaker and the Democratic leadership that the action was very disrespectful and unacceptable, and requested the city clerk place the resolution on the agenda next week.

Councilmember Boyajian thanked/commended Community Sanitation Supervisor Weathers and his staff for all their clean up work in his district, public works staff for persevering and getting the neighborhood work done after all the recent rain and resulting puddles, and Cooper Middle School staff on their health fair for helping children and seniors, and spoke to the Kip School which opened a year ago stating students gain three grades in a year and added they had the fifth best state test score in the FUSD.

Councilmember Calhoun (1) noted the time for an item of his was changed and he was not aware of it until receiving the agenda and requested staff inform his assistant of those changes in the future; and (2) noted the city clerk developed a tracking system at the urging of Council to track directions that Council makes to staff, advised he requested the city clerk to distribute information to Council on a monthly basis to keep Council up to speed, and requested all departments share/submit materials to the city clerk that pertain to the items Council will be receiving stating she should be the repository of materials and be in the loop.

Councilmember Dages (1) reiterated a request he made about a month ago to staff to repair a fence on Kings Canyon east of Peach that was knocked down during an auto accident; (2) spoke to homeless people in his district and advised he was told by police dispatch that the police can not ask homeless people to leave other peoples' property and one officer said they could not do anything, and requested the city manager request the police department to tell homeless in his district people to remove themselves and stated he would submit the locations to the city manager; (3) spoke to the successful Poker Charity Tournament that was held May 6th at Club One Casino stating \$23,500 was raised for charity and advised of the charities that benefitted; and (4) advised voting started, he voted Monday and was the third person to vote in Fresno County, and he voted for his favorite candidate -- himself -- as he felt he needed one vote because he was running unopposed.

President Duncan spoke to the non-profit organization "Operation Soldier" and his trip to Iraq stating Iraqi police were very excited and extremely grateful to receive the protective armor donations, stated it was an extraordinary experience, added the professionalism of U.S. military personnel was the highlight of the trip and stated everyone should be very proud of them, and thanked Acting President Perea on the good job he did running the meetings during his absence.

APPROVE AGENDA:

(9:45 A.M.) CONTINUED HEARING ON REZONE APPLICATION NO. R-05-67 AND ENVIRONMENTAL FINDINGS FILED BY SUBDIVIDER HANSEN EDENBRIDGE, INC., AND PROPERTY OWNERS DAVID & FRANCES VALENZUELA AND JOSEPH & DELIA GARCIA, PROPERTY LOCATED ON THE WEST SIDE OF N. POLK BETWEEN W. SHIELDS AND W. DAKOTA AVENUES - 3201 N. POLK AVENUE

1. CONSIDER AND ADOPT E.A. NO. R-05-67/R-5537/C-05-195, FINDING OF CONFORMITY TO THE GENERAL PLAN MEIR
2. BILL - AMENDING THE OFFICIAL ZONE MAP TO REZONE THE SUBJECT PROPERTY FROM RR TO R-1/UGM

(CONTINUE TO 3:00 P.M. #2)

Continued as noted.

On motion of Councilmember Westerlund, seconded by Acting President Perea, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes :	Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
Noes :	None
Absent :	None

ADOPT CONSENT CALENDAR:

Councilmember Calhoun pulled Item **1-C**, Councilmember Boyajian pulled Items **1-D** and **1-E**, and Councilmember Westerlund pulled Item **1-B** for later discussion/action under "Contested Consent Calendar".

(1-A) RESOLUTION NO. 2006-164 - AUTHORIZING ACCEPTANCE OF PROPOSITION 116 RAIL PROGRAM GRANT FUNDING FROM THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) FOR ENLARGING THE SANTA FE DEPOT'S LONG-TERM PARKING LOT AND ASSOCIATED IMPROVEMENTS, AND AUTHORIZE STAFF TO EXECUTE THE DOCUMENTS SUBJECT TO APPROVAL AS TO FORM BY THE CITY ATTORNEY'S OFFICE

On motion of Councilmember Dages, seconded by Councilmember Sterling, duly carried, RESOLVED, the above entitled Resolution No. 2006-164 hereby adopted, by the following vote:

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Ayes : Boyajian, Calhoun, Dages, Perea, Westerlund, Sterling, Duncan
 Noes : None
 Absent : None

(1:15 P.M.) PUBLIC COMMENT PERIOD - UNSCHEDULED COMMUNICATION:

Upon call, no one wished to be heard.

(2-A) APPROVE GIVING FORMALLY ORGANIZED HOMEOWNERS' ASSOCIATIONS ADDITIONAL OPTIONS FOR THE ONGOING LANDSCAPING MAINTENANCE OF THE MELLO-ROOS COMMUNITY FACILITIES DISTRICT (CFD) NO. 2 - PRESIDENT DUNCAN

President Duncan stated his report to Council was clear, gave a brief overview of the issue including the two options, stated there were pros and cons to both options, and clarified he was asking Council to let the homeowners' association decide which option they wanted to solve their own problems and become self-sufficient.

Councilmember Boyajian presented questions relative to whether elections would have to be held, shortfalls and if Boards of Directors would have alternative funding arrangements, if there would be quality control with the city as the third party, current number of organized homeowners' associations, if the city would have jurisdiction over these gated communities, who would administer elections, if staff has dealt with any homeowners' associations, and if standards would be in place, with President Duncan, Interim City Attorney Sanchez and Public Works Director Healey responding throughout. Councilmember Westerlund stated he was supportive of looking at options but was leery of approving something right now, stated he had a lot of questions and there were a lot of things to consider and explained, and stated he would prefer having a full legal analysis before voting on the issue as he did not have a comfort level at this time, with President Duncan responding. Brief discussion ensued on a suggestion to delay action for two weeks to have staff report back **(2 - 0)**.

On motion of President Duncan, seconded by Councilmember Sterling, duly carried, RESOLVED, giving formally organized homeowners' associations additional options for ongoing landscaping maintenance of the Mello-Roos CFD No. 2 hereby approved, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Duncan
 Noes : Westerlund
 Absent : None

(2-B) REQUEST STAFF PROVIDE ANSWERS TO THE DOWNTOWN FRESNO COALITION REGARDING THE DOWNTOWN FULTON MALL STUDY - COUNCILMEMBER BOYAJIAN

Councilmember Boyajian thanked staff for responding to questions 1 and 2 in his report and requested a response to questions 3 and 4 and added he would hate to see funding lost for the Fulton Mall projects.

Joyce Aiken, Fresno Arts Council, 1245 Van Ness, and member of the Downtown Fresno Coalition Board, stated they had not heard anything since the matter was last before Council and questioned if the study was still going forward and if the A to Z funds that were earmarked for mall projects would be claimed or if the city was going to give those funds up.

City Manager Souza stated he preferred that staff get the responses that were submitted to Councilmember Boyajian to all Council members and advised a tray memo was being prepared to go out this week which would include answers to the grants. At Councilmember Boyajian's request and with Council consensus the matter was continued two weeks for a staff report, or to another date when Councilmember Boyajian is ready to bring this matter back.

CONTESTED CONSENT CALENDAR:

(1-B) AWARD A CONTRACT TO KELLY C. BROWLES CONSTRUCTION FOR INSTALLATION OF A 12" WATER MAIN IN SHAW AVENUE FROM FRUIT TO MAROA AVENUES

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Councilmember Westerlund stated his concerns dealt with the contractor doing the work in a timely fashion and traffic congestion, with Design Services Manager Andersen explaining the traffic control plans and stating staff was very comfortable with the contractor and had never experienced any problem with the company. Councilmember Calhoun stated he had the same concerns and added he would watch this contract closely.

On motion of Councilmember Calhoun, seconded by Acting President Perea, duly carried, RESOLVED, a contract in the amount of \$735,626.00 hereby awarded to Kelly C. Browles Construction for the above project, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

(1-C) AWARD A TWO YEAR REQUIREMENTS CONTRACT TO ARIES INDUSTRIES, INC., FOR TWO (2) SEWER MAINLINE CLOSED-CIRCUIT TELEVISION (CCTV) VANS

Interim Fleet Manager Schaad and Interim Public Utilities Director Ramirez responded to questions of Councilmember Calhoun relative to whether the trucks would be able to discover materials illegally dumped in sewer lines and if the system/trucks were working well and if they were designed to keep up with all the growth.

On motion of Councilmember Calhoun, seconded by Councilmember Westerlund, duly carried, RESOLVED, a two year requirements contract hereby awarded to Aries Industries, Inc., in the amount of \$313,436.75 for the CCTV vans, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

(1-D) RESOLUTION NO. 2006-165 - INTENT TO ANNEX FINAL TRACT NO. 5352 AS ANNEXATION NO. 3 TO CFD NO. 11 AND SETTING THE REQUIRED PUBLIC HEARING FOR MAY 23, 2006

-and-

(1-E) RESOLUTION NO. 2006-166 - INTENT TO ANNEX FINAL TRACT NO. 5530 AS ANNEXATION NO. 6 TO CFD NO. 11 AND SETTING THE REQUIRED PUBLIC HEARING FOR MAY 23, 2006

Assistant Public Works Director Kirn and Interim City Attorney Sanchez responded to questions and comments of Councilmember Boyajian relative to meaning of *developer electing to build interior streets to a higher than normal standard*, if this would allow developers to elect to opt out whenever they want, the progress that was being made and concern with regressing, if this was a legal issue, and suggestion to schedule the matter for discussion in closed session.

On motion of Councilmember Calhoun, seconded by Councilmember Westerlund, duly carried, RESOLVED, the above entitled Resolution No. 2006-165 hereby adopted, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

On motion of President Duncan, seconded by Councilmember Westerlund, duly carried, RESOLVED, the above entitled Resolution No. 2006-166 hereby adopted, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

(1:30 P.M.) GENERAL ADMINISTRATION:

("A") REINTRODUCTION OF BILL NO. B-30 AMENDING THE FRESNO MUNICIPAL CODE RELATING TO REQUIRED INSTALLATION OF AUTOMATIC FIRE EXTINGUISHING SYSTEMS FOR ALL OCCUPANCIES (FIRE SPRINKLERS)

***BILL NO. B-64 INTRODUCED AND BILL NO. B-30 WITHDRAWN**

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Chief Bruegman gave an overview of the issue, all as contained in the staff report as submitted.

*City Clerk Klisch clarified a new bill was being presented for introduction and Bill No. B-30 was being completely withdrawn.

Chief Bruegman, Fire Prevention Engineer Beagles and Interim City Attorney Sanchez responded at length to numerous questions, comments and concerns of Councilmember Dages relative to increase in the number of homes from 170 to 172 and if this ordinance would allow people to build on smaller lots, the R-1 through R-4 designations being unclear and in conflict with the zoning ordinance, need for staff to go back to the drawing board and straighten out the confusion for builders, the ordinance not being well defined enough and need for language to be designed and worded so the average person can understand it, type of pipe that will be used, pipe problems/failures, concern with using water on grease fires, foam/chemical options, shut-off vales, if there will be annual inspections, **(3 - 0)** and if definitions or disclaimers could be added to city ordinances for clarification purposes. Councilmember Sterling stated she could not support the ordinance as she felt fire sprinklers should be optional and not mandatory and also because of the cost being passed on to home buyers and being a hindrance to some.

On motion of Councilmember Westerlund, seconded by Councilmember Calhoun, duly carried, RESOLVED, Bill No. B-30 hereby withdrawn and Bill No. B-64 introduced before the Council and laid over, by the following vote:

Ayes :	Boyajian, Calhoun, Westerlund, Duncan
Noes :	Dages, Perea, Sterling
Absent :	None

("B") INFORMATIONAL REPORT AND PRESENTATION ON RESULTS OF THE SPECIAL ACTUARIAL STUDIES PROJECTING THE AVAILABILITY OF SURPLUS EARNINGS IN THE RETIREMENT SYSTEMS OVER THE NEXT SIX ACTUARIAL VALUATIONS

Retirement Administrator McDivitt gave an in-depth PowerPoint presentation on the issue, all as contained in the staff report and written follow-along material submitted, and along with City Manager Souza responded to questions of Councilmembers Calhoun, Boyajian and Westerlund relative to whether funds were budgeted with the expectation of city contributions, if those budgeted funds would be expended, if receipts were bonded back in 1994, payment term of the POBs, why the city was setting aside money at this time, what the yearly POB bond payment was, and how/where that payment is allocated from. President Duncan stated this was good news and commended retirement staff on their fine work in managing the program. There was no further discussion.

("C") CONFIRMATION OF APPOINTMENTS OF PRESIDENT DUNCAN, CITY MANAGER SOUZA, MO BAGUNU, TOM RICHARDS, LYDIA ZYBRICKI AND TERRY HOLCOMB TO THE FRESNO COUNTY WORKFORCE INVESTMENT BOARD

City Manager Souza gave a brief overview of the issue, all as contained in the staff report as submitted, and recommended confirmation of the appointments. Councilmember Calhoun expressed his support stating he was pleased to see the city would be sitting at the table and making decisions on how the money is spent and added the nominations were a wonderful cross section of the city.

On motion of Councilmember Calhoun, seconded by Councilmember Westerlund, duly carried, RESOLVED, the above appointments hereby confirmed, by the following vote:

Ayes :	Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
Noes :	None
Absent :	None

(2:00 P.M.) CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL:

(A) EXISTING LITIGATION: CASE NAME: COF V. GARFIELD PARK HIGHLANDS, ET AL.

Removed from the agenda/to be rescheduled in one week.

(B) ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION: COF V. M.J. MENEFEER CONSTRUCTION

INC. AND GREAT AMERICAN INSURANCE COMPANY (HERNDON AVENUE WIDENING PROJECT)

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The City Council met in closed session in Room 2125 at the hour of 3:12 p.m. to consider item B and reconvened in regular open session at 3:40 p.m.

(2:15 P.M.) (1) DIRECT STAFF TO BRING BACK AN UPDATE ON THE STATUS OF THE HERNDON AVENUE WIDENING PROJECT, AND (2) COUNCIL DISCUSSION AND ACTION AS NEEDED REGARDING THE PERFORMANCE OF M.J. MENEFEE CONSTRUCTION, INC. ON THE PROJECT - COUNCILMEMBER CALHOUN

Councilmember Calhoun spoke to the Herndon project including the process that was undertaken and the missed deadlines, stated the city did everything to accommodate the contractor and get the job done and added it was now time for Council to take action, and upon his request Public Works Director Healey and Construction Manager Banuelos spoke to how staff worked with the contractor over the past months trying to get all the lanes opened to move traffic along as best as possible, advised as of today six lanes were now open, spoke to the physical work that still needs to be done, and responded to questions of Councilmember Calhoun relative to whether all lanes would be open and all lights operating until the remaining work is completed. Councilmember Calhoun stated the message to the public was the city was going to do everything possible to get drivers through as best as possible and as safely as possible during the time it takes to finish the project and the frustrations and irritation were understood, stated enough was enough and the city was at a consequence point, and made a motion to terminate the contract with M.J. Menefee effective immediately. Interim City Attorney Sanchez advised the contract did contain an option for termination for default and staff would start that process if the motion passes.

On motion of Councilmember Calhoun, seconded by Acting President Perea, duly carried, RESOLVED, staff directed to proceed with the process to terminate the contract with M.J. Menefee Construction, Inc., effective immediately, by the following vote:

Ayes : Boyajian, Calhoun, Dages, Perea, Sterling, Westerlund, Duncan
 Noes : None
 Absent : None

Councilmember Calhoun left the meeting at 3:53 p.m.

(3:00 P.M. #1) 2005 CYCLE III TRIMESTER PLAN AMENDMENT HEARING - CONSIDER PLAN AMENDMENT NO. A-05-12, REZONE APPLICATION NO. R-05-77 AND ENVIRONMENTAL FINDINGS, FILED BY DALE MELL ON BEHALF OF MIKE PISTORESI, SOUTHWEST CORNER OF W. CALIFORNIA AND S. WEST AVENUES (Continued from April 25, 2006)

- 1. CONSIDER AND ADOPT MITIGATED NEGATIVE DECLARATION FOR E.A. NO. A-05-12/R-05-77 DATED MARCH 16, 2006**
- 2. RESOLUTION NO. 2006-167 - AMENDING THE GENERAL PLAN AND EDISON COMMUNITY PLAN**
- 3. BILL NO. B-65- ORDINANCE NO. 2006-63 - AMENDING THE FRESNO-CHANDLER DOWNTOWN AIRPORT MASTER AND ENVIRONS SPECIFIC PLAN**
- 4. BILL NO. B-66 - ORDINANCE NO. 2006-64 - AMENDING THE OFFICIAL ZONE MAP TO REZONE THE SUBJECT SITE FROM AL-20 TO R-1/UGM**

President Duncan announced the time had arrived to consider the issue. Interim City Attorney Sanchez noted an issue arose relative to Councilmember Sterling having property within the area when this matter was last before Council and advised after further review by staff it was determined Councilmember Sterling did not have property within 500 feet of the subject area and could participate in the proceedings, and upon question confirmed public testimony was taken and the hearing was closed on April 25th and the matter was continued to this date for only Council deliberations and action.

Councilmember Sterling stated this was a good project and made a motion to approve staff 's recommendation, which motion was seconded by Acting President Perea.

Councilmember Boyajian stated he could not support the project as it would add more congestion to the area and added cumulative impacts and the global picture were not looked at. Planning Manager Unruh responded to questions of Councilmember Westerlund relative to the elimination of commercial for residential and where the commercial part would go **(4 - 0)**. Councilmember Boyajian added the site was under a flight pattern which was also of concern to him and an EIR should have been conducted. Councilmember Sterling advised she met with a number of businesses relative to their plans for the area and stated commercial was there

and would be coming and explained.

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On motion of Councilmember Sterling, seconded by Acting President Perea, duly carried, RESOLVED, the environmental finding of a mitigated negative declaration for the E.A. hereby approved; the above entitled Resolution No. 2006-167 hereby adopted; and the above entitled Bill Nos. B-65 and B-66 adopted as Ordinance Nos. 2006-63 and 2006-64, by the following vote:

Ayes :	Dages, Perea, Sterling, Duncan
Noes :	Boyajian, Westerlund
Absent :	Calhoun

(3:00 P.M. #2) CONTINUED HEARING ON REZONE APPLICATION NO. R-05-67 AND ENVIRONMENTAL FINDINGS FILED BY SUBDIVIDER HANSEN EDENBRIDGE, INC., AND PROPERTY OWNERS DAVID & FRANCES VALENZUELA AND JOSEPH & DELIA GARCIA, PROPERTY LOCATED ON THE WEST SIDE OF N. POLK BETWEEN W. SHIELDS AND W. DAKOTA AVENUES - 3201 N. POLK AVENUE

1. CONSIDER AND ADOPT E.A. NO. R-05-67/R-5537/C-05-195, DATED MARCH 9, 2006, FINDING OF CONFORMITY TO THE GENERAL PLAN MEIR

2. BILL NO. B-67- ORDINANCE NO. 2006-65 - AMENDING THE OFFICIAL ZONE MAP TO REZONE THE SUBJECT PROPERTY FROM RR TO R-1/UGM

President Duncan announced the time had arrived to consider the issue and opened the hearing. Acting President Perea recused himself from the proceedings stating his grandparents were the property owners and left the meeting at 4:05 p.m.

Upon question of President Duncan, Planner Brock advised the staff report as submitted was complete and there was no new information to add.

Jeff O'Neill, Provost & Pritchard Engineering, representing the developer, stated he had nothing to add and was available for questions.

Upon call, no one else wished to be heard and President Duncan closed the hearing.

Councilmember Boyajian stated this project really bothered him noting two projects were going on in the area, stated a global study was needed on the west area, and elaborated further on traffic concerns. Councilmember Calhoun returned to the meeting at 4:08 p.m. during Councilmember Boyajian's comments. A motion and second was made to approve staff's recommendation. Upon question of Councilmember Sterling for clarification purposes, Mr. O'Neill and Ms. Brock spoke to the infrastructure and street improvements the developer would be making, to traffic studies that would be conducted, and to the requirement to connect water and sewer south to Shields Avenue. Councilmember Boyajian responded stating although the two projects he referenced were not contiguous to one another they were in the same area, stated what the developer would be doing was very small, and stressed no major streets would be widened, this was another piecemeal project, sidewalks were needed, and warrants should be there for a traffic signal.

On motion of Councilmember Dages, seconded by Councilmember Calhoun, duly carried, RESOLVED, the environmental finding for the E.A. hereby approved, and the above entitled Bill No. B-67 rezoning the site adopted as Ordinance No. 2006-65, by the following vote:

Ayes :	Calhoun, Dages, Sterling, Westerlund, Duncan
Noes :	Boyajian
Absent :	None
Recused :	Perea

(3:30 P.M. #1) WORKSHOP TO DISCUSS WHETHER THE CITY MANAGER AND REDEVELOPMENT AGENCY EXECUTIVE DIRECTOR SHOULD ISSUE A JOINT RFP TO HIRE A PROFESSIONAL SERVICES FIRM TO PERFORM AN ANALYSIS WITH RECOMMENDATIONS OF THE REDEVELOPMENT AGENCY AND THE CITY'S ECONOMIC DEVELOPMENT DEPARTMENT INCLUDING BEST PRACTICES AND PROJECT-SPECIFIC EVALUATIONS - COUNCILMEMBER CALHOUN AND ACTING

PRESIDENT PEREA

Acting President Perea returned to the meeting at 4:17 p.m. Councilmember Calhoun gave an in-depth overview of the matter and the issues of concern to him, all as contained in his report to Council and his comments submitted in written form, stated Council oversees the

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Agency but he did not have answers to many of the Agency's policies and procedures, stated while he would rather expend the time and cost associated with an in-depth analysis of the RDA and economic development department he believed a useful "tune-up" would be a workshop, and suggested a workshop be held on August 22nd, or later, facilitated by a consultant knowledgeable with state-wide economic development and RDA best practices.

Acting President Perea clarified he saw this as an opportunity to look at how the city and the RDA could work better to provide a better product to those neighborhoods they are trying to redevelopment and also look at what the city and Agency are doing right and what they are doing wrong, and added the two bodies should constantly be reassessing and reevaluating themselves.

Lengthy discussion ensued with Councilmembers Boyajian, Sterling, Westerlund, Dages and President Duncan all expressing their strong support for the Redevelopment Agency stating it was working and commented on various issues including the past performance analysis that was conducted by the Macias Group, to the many Agency-led projects downtown and in other redevelopment areas, to Councilmember Calhoun's issues/concerns **(5 - 0)**, to the list submitted by Executive Director Murphey highlighting Agency-led accomplishments from 1997 to 2006, to the RDA being regulated by the State and having annual audits, to the RDA providing numerous reports to the City, encouragement to Councilmember Calhoun and Acting President Perea to sit in on the Mayor/Council Economic Development Task Force meetings on Thursdays to see what is going on and planned, to the RDA and city working in unprecedented cooperation, to a professional analysis/consultant workshop being unnecessary, to the \$1 billion investment in downtown being huge, to the difficulty of economic development in this area, to the positive things happening and progress/strong results/teamwork being seen, the reality that things are being done, the RDA group being a strong group and possibly understaffed yet continuing to get the job done, micro-analyzing and time and money on a consultant not being necessary, hope that improving communication between city and county economic development staff will be focused on, and the commitment, integrity and work of the RDA and staff being unsurpassed. There was no further discussion.

(3:30 P.M. #2) DISCUSSION AND DIRECTION TO STAFF REGARDING AWARDING THE CAMP FRESNO CONTRACT - COUNCILMEMBER BOYAJIAN

Councilmember Boyajian cited a memo he received from Nancy Omachi who was awarded a 3-year contract to operate Camp Fresno with two 1-year options stating she conformed to the contract yet the contract was not renewed, noted improvements were made to Camp Fresno while she ran the facility as outlined in his report, and stated he had not heard anything about the contract, he was disturbed and alarmed with the process, and he wanted to know what was going on and wanted Ms. Omachi to be able to come forth and talk about the process.

Public testimony was about to be taken when Councilmember Calhoun raised the question of the "no contact rule", with Interim City Attorney Sanchez stating the RFP was circulated and two people responded, advised the contract award would be coming to Council next week, and stated Council taking testimony this date in a public setting would not violate the "no contact rule" as this was not part of the RFP process. City Manager Souza confirmed the contract award would be coming forth next week, brief discussion ensued, and it was agreed that it would be best to hear the matter and take public testimony next week when staff brings forth their report and recommendation. Councilmember Boyajian and President Duncan apologized to those in the audience who waited for this matter to be heard and the matter was set for May 16th at 9:15 a.m. #1 for citizen convenience.

ADJOURNMENT

There being no further business to bring before the City Council, the hour of 5:27 p.m. having arrived and hearing no objections, President Duncan declared the meeting adjourned.

Approved on the _____ 16th _____ day of _____ May _____, 2006.

_____/s/_____
Jerry Duncan, Council President

ATTEST:

_____/s/_____
Yolanda Salazar, Assistant City Clerk

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